

AMENDED IN ASSEMBLY AUGUST 23, 2012

AMENDED IN ASSEMBLY JUNE 13, 2012

SENATE BILL

No. 1031

Introduced by Committee on Budget and Fiscal Review

February 6, 2012

An act to amend ~~Section 12975.9 of the Insurance Code, relating to seismic safety, and declaring the urgency thereof, to take effect immediately~~ *the Budget Act of 2012 by amending Items 0250-101-0932, 2660-001-0042, 3360-001-0382, 3790-001-0392, 4260-111-0001, 4260-401, 4280-101-0001, 4280-101-3156, 4280-102-0001, 4280-102-3156, 5180-101-0001, 5180-101-0890, 6110-295-0001, 6440-301-0658, 6440-301-0705, 6610-001-0001, 6870-296-0001, 8660-001-0462, 8660-001-0471, 8660-001-0483, and 8660-001-0493 of, and by adding Items 3790-002-0392, 4260-491, 5180-496, 8860-119-0001, and 9350-101-8066 to, Section 2.00 of, and by amending Section 3.90 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1031, as amended, Committee on Budget and Fiscal Review. ~~Seismic Safety Account: funding.~~*Budget Act of 2012.*

The Budget Act of 2012 made appropriations for the support of state government for the 2012–13 fiscal year.

This bill would amend the Budget Act of 2012 by revising various items of appropriation and making other changes in the Budget Act of 2012.

This bill would declare that it is to take effect immediately as a Budget Bill.

~~Existing law establishes the Seismic Safety Commission to perform specified duties relating to earthquake hazard reduction and other seismic safety issues. Existing law also provides for the Seismic Safety Account within the Insurance Fund. Money in the account may be appropriated by the Legislature to fund the Seismic Safety Commission and certain administrative costs incurred by the Department of Insurance. Existing law provides for assessments levied against certain insurers to be deposited in the Seismic Safety Account. Under existing law, the provisions establishing the Seismic Safety Account and authorizing these assessments expire on July 1, 2012.~~

~~This bill would require the department, instead, to calculate an annual assessment to be charged to each commercial and residential property exposure in an amount set annually by the department based on specified factors, including the amount required for the support of the Seismic Safety Commission and the collection and administrative costs of the department, not to exceed \$0.15 per property exposure. The bill would require the insurer to collect the assessment and remit it to the department unless the insurer elects to pay the assessment on the insured's behalf. The bill would extend the operation of these provisions indefinitely.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

~~Vote: $\frac{2}{3}$ -majority. Appropriation: ~~no~~yes. Fiscal committee: yes. State-mandated local program: no.~~

The people of the State of California do enact as follows:

1	<i>SECTION 1. Item 0250-101-0932 of Section 2.00 of the Budget</i>	
2	<i>Act of 2012 is amended to read:</i>	
3		
4	0250-101-0932—For local assistance, Judicial Branch,	
5	payable from the Trial Court Trust Fund.....	1,826,195,000
6		1,797,061,000
7	Schedule:	
8	(1) 45.10-Support for Operation of the	
9	Trial Courts.....	1,390,697,000
10		1,361,563,000
11	(2) 45.25-Compensation of Superior Court	
12	Judges.....	306,829,000
13	(3) 45.35-Assigned Judges.....	26,047,000

(4) 45.45-Court Interpreters.....	92,794,000
(5) 45.55.060-Court Appointed Special Advocate Program.....	2,213,000
(6) 45.55.065-Model Self-Help Program....	957,000
(7) 45.55.090-Equal Access Fund.....	5,482,000
(8) 45.55.095-Family Law Information Centers.....	345,000
(9) 45.55.100-Civil Case Coordination.....	832,000
(11) Reimbursements.....	-1,000

Provisions:

1. The funds appropriated in Schedule (2) shall be made available for costs of the workers' compensation program for trial court judges.
2. The amount appropriated in Schedule (3) shall be made available for all judicial assignments. Schedule (3) expenditures for necessary support staff may not exceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments. Prior to utilizing funds appropriated in Schedule (3), trial courts shall maximize the use of judicial officers who may be available due to reductions in court services or court closures.
3. The funds appropriated in Schedule (4) shall be for payments to contractual court interpreters, and certified or registered court interpreters employed by the courts for services provided during court proceedings and other services related to pending court proceedings, including services provided outside a courtroom, and the following court interpreter coordinators: 1.0 each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through the 58th classes. For the purposes of this provision, "court interpreter coordinators" may be full- or part-time court employees, and shall be certified or registered court interpreters in good standing under existing law.

The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.

1 The Judicial Council shall adopt appropriate rules
2 and procedures for the administration of these funds.
3 The Judicial Council shall report to the Legislature
4 and the Director of Finance annually regarding expen-
5 ditures from Schedule (4).

- 6 4. Upon order of the Director of Finance, the amount
7 available for expenditure in this item may be augment-
8 ed by the amount of any additional resources available
9 in the Trial Court Trust Fund, which is in addition to
10 the amount appropriated in this item. Any augmenta-
11 tion must be approved in joint determination with the
12 Chairperson of the Joint Legislative Budget Committee
13 and shall be authorized not sooner than 30 days after
14 notification in writing to the chairpersons of the com-
15 mittees in each house of the Legislature that consider
16 appropriations, the chairpersons of the committees and
17 appropriate subcommittees that consider the State
18 Budget, and the chairperson of the joint committee,
19 or not sooner than whatever lesser time the chairperson
20 of the joint committee, or his or her designee, may
21 determine. When a request to augment this item is
22 submitted to the Director of Finance, a copy of that
23 request shall be delivered to the chairpersons of the
24 committees and appropriate subcommittees that con-
25 sider the State Budget. Delivery of a copy of that re-
26 quest shall not be deemed to be notification in writing
27 for purposes of this provision.

- 28 5. Notwithstanding any other provision of law, upon ap-
29 proval and order of the Director of Finance, the amount
30 appropriated in this item shall be reduced by the
31 amount transferred in Item 0250-115-0932 to provide
32 adequate resources to the Judicial Branch Workers'
33 Compensation Fund to pay workers' compensation
34 claims for judicial branch employees and judges, and
35 administrative costs pursuant to Section 68114.10 of
36 the Government Code.

- 37 6. Of the funds appropriated in Schedule (1), which will
38 be transferred to the State Trial Court Improvement
39 and Modernization Fund in accordance with subdivi-
40 sion (b) of Section 77209 of the Government Code,

up to \$5,000,000 shall be available for support of services for self-represented litigants.

7. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to \$11,274,000 to Item 0250-001-0932 for recovery of costs for administrative services provided to the trial courts by the Administrative Office of the Courts.

8. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (7) are available for distribution by the Judicial Council through the Legal Services Trust Fund Commission in support of the Equal Access Fund Program to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (2) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

9. Funds available for expenditure in Schedule (7) may be augmented by order of the Director of Finance by the amount of any additional resources deposited for distribution to the Equal Access Fund Program in accordance with Sections 68085.3 and 68085.4 of the Government Code. Any augmentation under this provision shall be authorized not sooner than 30 days after

notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

10. Sixteen (16.0) subordinate judicial officer positions are authorized to be converted to judgeships in the 2012–13 fiscal year in the manner and pursuant to the authority described in subparagraph (B) of paragraph (1) of subdivision (c) of Section 69615 of the Government Code, as described in the notice filed by the Judicial Council under subparagraph (B) of paragraph (3) of subdivision (c) of Section 69615.
11. Notwithstanding any other provision of law, and upon approval of the Director of Finance, the amount available for expenditure in Schedule (1) may be increased by the amount of any additional resources collected for the recovery of costs for court-appointed dependency counsel services.
12. Upon approval of the Administrative Director of the Courts, the Controller shall transfer up to \$556,000 to Item 0250-001-0932 for administrative services provided to the trial courts in support of the court-appointed dependency counsel program.
13. Upon approval of the Administrative Director of the Courts, the amount available for expenditure in this item may be augmented by the amount of resources collected to support the implementation and administration of the civil representation pilot program.
14. Upon approval of the Administrative Director of the Courts, the Controller shall transfer up to \$500,000 to Item 0250-001-0932 for administrative services provided by the Administrative Office of the Courts to implement and administer the Civil Representation Pilot Program.
15. Notwithstanding any other provision of law, during the 2012–13 fiscal year, the Judicial Council shall al-

locate \$385,000,000 of reductions in funding contained in Schedule (1) as follows: (a) no more than \$235,000,000 shall be allocated to each trial court based on each court's proportionate share of total statewide trial court reserves, and (b) no more than \$150,000,000 shall be allocated based on each trial court's proportionate share of the 2011–12 fiscal year Trial Court Trust Fund allocation.

16. This item includes a one-time augmentation of \$86,709,000 to offset the reductions in trial court funding in the 2012–13 fiscal year, based on transfers as follows: (a) \$27,223,000 transferred from the State Trial Court Improvement and Modernization Fund, and (b) \$59,486,000 transferred from the State Court Facilities Construction Fund.
17. Of the amount appropriated in this item, \$46,000,000 of planned expenditures for the Court Case Management System project shall instead be redirected to offset reductions in trial court funding in the 2012–13 fiscal year.

SEC. 2. Item 2660-001-0042 of Section 2.00 of the Budget Act of 2012 is amended to read:

2660-001-0042—For support of Department of Transportation, payable from the State Highway Account, State Transportation Fund.....	2,383,185,000
Schedule:	
(1) 10-Aeronautics.....	4,097,000
(2) 20.10-Highway Transportation— Capital Outlay Support.....	1,670,441,000
(3) 20.30-Highway Transportation— Local Assistance.....	51,804,000
(4) 20.40-Highway Transportation— Program Development.....	74,138,000
(5) 20.65-Highway Transportation— Legal.....	123,634,000
(6) 20.70-Highway Transportation— Operations.....	246,178,000

1	(7) 20.80-Highway	Transporta-	
2	tion—Maintenance.....		1,401,915,000
3	(8) 30-Mass Transportation.....		145,344,000
4			146,049,000
5	(9) 40-Transportation Planning.....		113,697,000
6			121,433,000
7	(10) 50.10-Administration	Program	
8	Costs.....		459,537,000
9	(11) 50.20-Distributed	Administration	
10	Program Costs.....		-459,537,000
11	(12) 60.10-Equipment	Service Program	
12	Costs.....		186,216,000
13	(13) 60.20-Distributed Equipment Service		
14	Program Costs.....		-186,216,000
15	(14) Reimbursements.....		-360,080,000
16			-367,816,000
17	(15) Amount payable from the Aeronautics		
18	Account, State Transportation Fund		
19	(Item 2660-001-0041).....		-3,613,000
20	(16) Amount payable from the Bicycle		
21	Transportation Account, State Trans-		
22	portation Fund (Item 2660-001-		
23	0045).....		-12,000
24	(17) Amount payable from the Public		
25	Transportation Account, State		
26	Transportation Fund (Item 2660-001-		
27	0046).....		-159,262,000
28			-159,967,000
29	(18) Amount payable from the Historic		
30	Property Maintenance Fund (Item 2660-		
31	001-0365).....		-1,645,000
32	(19) Amount payable from the Federal		
33	Trust Fund (Item 2660-001-0890)....		-744,364,000
34	(20) Amount payable from the State Route		
35	99 Account, Highway Safety, Traffic		
36	Reduction, Air Quality, and Port Secu-		
37	rity Fund of 2006 (Item 2660-004-		
38	6072).....		-31,196,000

1	(21) Amount payable from the Corridor	
2	Mobility Improvement Account,	
3	Highway Safety, Traffic Reduction,	
4	Air Quality, and Port Security Fund	
5	of 2006 (Item 2660-004-6055).....	-100,269,000
6	(22) Amount payable from the Trade Corri-	
7	dors Improvement Fund (Item 2660-	
8	004-6056).....	-4,048,000
9	(23) Amount payable from the Transporta-	
10	tion Facilities Account, Highway	
11	Safety, Traffic Reduction, Air Quality,	
12	and Port Security Fund of 2006 (Item	
13	2660-004-6058).....	-33,059,000
14	(24) Amount payable from the Public	
15	Transportation Modernization, Improve-	
16	ment, and Service Enhancement Ac-	
17	count, Highway Safety, Traffic Reduc-	
18	tion, Air Quality, and Port Security	
19	Fund of 2006 (Item 2660-004-6059)....	-1,116,000
20	(25) Amount payable from the State-Local	
21	Partnership Program Account, Highway	
22	Safety, Traffic Reduction, Air Quality,	
23	and Port Security Fund of 2006 (Item	
24	2660-004-6060).....	-543,000
25	(26) Amount payable from the Local Bridge	
26	Seismic Retrofit Account, Highway	
27	Safety, Traffic Reduction, Air Quality,	
28	and Port Security Fund of 2006 (Item	
29	2660-004-6062).....	-1,360,000
30	(27) Amount payable from the Highway-	
31	Railroad Crossing Safety Account,	
32	Highway Safety, Traffic Reduction, Air	
33	Quality, and Port Security Fund of 2006	
34	(Item 2660-004-6063).....	-699,000
35	(28) Amount payable from the Highway	
36	Safety, Rehabilitation, and Preservation	
37	Account, Highway Safety, Traffic Re-	
38	duction, Air Quality, and Port Security	
39	Fund of 2006 (Item 2660-004-6064)....	-6,797,000

Provisions:

1. Notwithstanding any other provision of law, funds appropriated in this item from the State Highway Account may be reduced and replaced by an equivalent amount of federal funds determined by the Department of Transportation to be available and necessary to comply with Section 8.50 and the most effective management of state transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.
2. Notwithstanding any other provision of law, funding appropriated in this item may be transferred to Item 2660-005-0042 to pay for any necessary insurance, debt service, and other financing-related expenditures for Department of Transportation-occupied office buildings. Any transfer will require the prior approval of the Department of Finance.
4. Notwithstanding any other provision of law, funds appropriated in this item may be supplemented with federal funding appropriation authority and with prior fiscal year State Highway Account appropriation balances at a level determined by the Department of Transportation as required to process claims utilizing federal advance construction through the plan of financial adjustment process pursuant to Sections 11251 and 16365 of the Government Code.
5. Notwithstanding any other provision of law, funds appropriated in Item 2660-001-0042, 50.00-Administration from the State Highway Account, may be reduced and replaced by an equivalent amount of reimbursements determined by the Department of Transportation to be available and necessary to comply with Section 28.50 and the most effective management of state transportation resources. The reimbursements may also be reduced and replaced by an equivalent amount of funds from the State Highway Account.

Not more than 30 days after replacing the State Highway Account funds with reimbursements and vice versa, the Director of Finance shall notify in writing the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

6. Of the funds appropriated in Schedule (7), \$231,666,000 is for major maintenance contracts for the preservation of highway pavement, and shall not be used to supplant any other funding that would have been used for major pavement maintenance.
7. Of the funds appropriated in Schedule (5), \$68,556,000 is for the payment of tort lawsuit claims and awards. Any funds for that purpose that are unencumbered as of April 1, 2012, may be transferred to Item 2660-302-0042. Any transfer shall require the prior approval of the Department of Finance.
8. Of the funds appropriated in Schedule (2), transfers of expenditure authority may be made between Items 2660-001-0042, 2660-001-0890, 2660-002-3007, 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6059, 2660-004-6060, 2660-004-6062, 2660-004-6063, 2660-004-6064, and 2660-004-6072 to accommodate changes in capital outlay and local assistance program-related workload by funding source or changes in availability of funds. The Department of Finance shall authorize the transfers not sooner than 30 days after notification of the necessity therefor in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee.
9. The Department of Finance may augment the amount appropriated in Schedule (6) by up to \$2,000,000 for the federal Americans with Disabilities Act of 1990 consultant contracts if the number of access requests and grievances exceeds the Department of Transportation's projections. The Department of Finance shall authorize the augmentation not sooner than 30 days

after notification of the necessity therefor in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee.

10. The Department of Finance may augment the amount appropriated in Schedule (2) by up to \$4,200,000 to reimburse the Department of Transportation for the review and approval of environmental and engineering documents regarding circumstances in which the high-speed train system interfaces with the state highway system, as well as specific highway realignment projects related to the high-speed train system.
11. Of the funds appropriated in Schedule (4), \$3,953,000 shall be available for research support centers and \$3,118,000 shall be available for seismic research projects.
12. *Of the funds appropriated in Schedule (9), the Department of Transportation shall exempt project initiation document development and oversight services reimbursed from local government agencies from full cost recovery as outlined in its Indirect Cost Recovery Plan.*
13. *In order to reduce costs to local agencies, the Department of Transportation shall streamline the cooperative work agreement process related to project initiation document development and oversight.*

SEC. 3. Item 3360-001-0382 of Section 2.00 of the Budget Act of 2012 is amended to read:

3360-001-0382—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Renewable Resource Trust Fund..... 12,435,000

Provisions:

1. *The Department of Finance shall conduct an independent audit of the Renewable Resource Trust Fund and its related accounts, and provide a final audit report to the Legislature not later than June 30, 2013. The Department of Finance report shall include informa-*

tion regarding revenues, payment of awards, reserves held for future commitments, unencumbered cash balances, and other matters that the Director of Finance determines may be of importance to the Legislature.

SEC. 4. Item 3790-001-0392 of Section 2.00 of the Budget Act of 2012 is amended to read:

3790-001-0392—For support of Department of Parks and Recreation, payable from the State Parks and Recreation Fund.....	126,946,000
Schedule:	
(1) For support of Department of Parks and Recreation.....	399,099,000
(1.5) Legal Services.....	341,000
(2) Reimbursements.....	–33,167,000
(3) Less funding provided by capital outlay.....	–4,000,000
(3.5) Amount payable from the General Fund (Item 3790-001-0001).....	–112,015,000
(4) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Bond Fund (Item 3790-001-0005).....	–1,683,000
(5) Amount payable from the California Environmental License Plate Fund (Item 3790-001-0140).....	–3,268,000
(6) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3790-001-0235).....	–10,019,000
(7) Amount payable from the Off-Highway Vehicle Trust Fund (Item 3790-001-0263).....	–60,068,000
(8) Amount payable from the Winter Recreation Fund (Item 3790-001-0449).....	–347,000

1	(9) Amount payable from the Harbors and	
2	Watercraft Revolving Fund (Item 3790-	
3	001-0516).....	-2,130,000
4	(10) Amount payable from the Federal Trust	
5	Fund (Item 3790-001-0890).....	-7,475,000
6	(11) Amount payable from the California	
7	Main Street Program Fund (Item 3790-	
8	001-3077).....	-175,000
9	(12) Amount payable from the California	
10	Clean Water, Clean Air, Safe Neighbor-	
11	hood Parks, and Coastal Protection	
12	Fund (Item 3790-001-6029).....	-2,381,000
13	(13) Amount payable from the Water Secu-	
14	rity, Clean Drinking Water, Coastal and	
15	Beach Protection Fund of 2002 (Item	
16	3790-001-6031).....	-371,000
17	(14) Amount payable from the Safe Drinking	
18	Water, Water Quality and Supply,	
19	Flood Control, River and Coastal Pro-	
20	tection Fund of 2006 (Item 3790-001-	
21	6051).....	-7,229,000
22	(15) Amount payable from the Safe Drink-	
23	ing Water, Water Quality and Supply,	
24	Flood Control, River and Coastal Pro-	
25	tection Fund of 2006 (Item 3790-003-	
26	6051).....	-15,044,000
27	(16) Amount payable from the Disaster Pre-	
28	paredness and Flood Prevention Bond	
29	Fund of 2006 (Item 3790-001-6052)....	-122,000
30	(17) Amount payable from the California	
31	State Park Enterprise Fund (Item 3790-	
32	001-8072).....	-13,000,000
33	Provisions:	
34	1. Of the funds appropriated in this act from special	
35	funds, other than the Off-Highway Vehicle Trust Fund	
36	and bond funds, to the Department of Parks and	
37	Recreation for local assistance grants to local agencies,	
38	the department may allocate an amount not to exceed	
39	3.7 percent of each project's allocation, except to the	
40	extent otherwise restricted by law, to allow the depart-	

1 ment to administer its grants. Those funds shall be
2 available for encumbrance or expenditure until June
3 30, 2018.

- 4 2. It is the intent of the Legislature that salaries, wages,
5 operating expenses, and positions associated with im-
6 plementing specific Department of Parks and Recre-
7 ation capital outlay projects continue to be funded
8 through capital outlay appropriations, and that these
9 funds should also be reflected in the department's state
10 operations budget in the Governor's Budget as a spe-
11 cial item of expense reflecting the funding provided
12 from the capital outlay appropriations.

- 13 3. Notwithstanding any other provision of law, the Direc-
14 tor of Finance may authorize a loan from the General
15 Fund, in an amount not to exceed 35 percent of reim-
16 bursements appropriated in this item to the Department
17 of Parks and Recreation, provided that:

- 18 (a) The loan is to meet cash needs resulting from the
19 delay in receipt of reimbursements for services
20 provided.
21 (b) The loan is for a short term and shall be repaid
22 by September 30, 2013.
23 (c) Interest charges may be waived pursuant to subdivi-
24 sion (e) of Section 16314 of the Government
25 Code.
26 (d) The Director of Finance may not approve the loan
27 unless the approval is made in writing and filed
28 with the Chairperson of the Joint Legislative
29 Budget Committee and the chairpersons of the
30 committees in each house of the Legislature that
31 consider appropriations not later than 30 days
32 prior to the effective date of the approval, or not
33 later than whatever lesser time prior to that effec-
34 tive date that the chairperson of the joint commit-
35 tee, or his or her designee, may determine.

- 36 4. The Department of Parks and Recreation is authorized
37 to enter into a contract for fee collection and other
38 services required by the department with a cooperative
39 association that has and will continue to fund state
40 employees on an ongoing basis.

5. *Of the amount appropriated in this item, \$6,000,000 shall be available for support or capital outlay and expenditure and encumbrance until June 30, 2014, for water, wastewater, and sewer system projects.*

SEC. 5. Item 3790-002-0392 is added to Section 2.00 of the Budget Act of 2012, to read:

3790-002-0392—For support of Department of Parks and Recreation, payable from the State Parks and Recreation Fund 2,000,000

Schedule:

- (1) For support of Department of Parks and Recreation..... 2,000,000*

Provisions:

- 1. Notwithstanding any other provision of law, upon request of the Department of Parks and Recreation, and approval by the Department of Finance, the Controller shall adjust the appropriation related to the federal agreements between the Department of Parks and Recreation and the National Park Service for Del Norte Coast Redwoods State Park, Samuel P. Taylor State Park, and Tomales Bay State Park. The Department of Finance shall approve the adjustments not sooner than 30 days after notification in writing to the Joint Legislative Budget Committee.*

SEC. 6. Item 4260-111-0001 of Section 2.00 of the Budget Act of 2012 is amended to read:

*4260-111-0001—For local assistance, Department of Health Care Services..... ~~176,224,000~~
174,189,000*

Schedule:

- (1) 20.25-Children's Medical Services..... 380,745,000
(2) 20.35-Primary and Rural Health..... 1,054,000
(3) 20.45-Other Care Services..... ~~111,507,000~~
109,472,000
(4) Reimbursements..... -55,672,000*

- 1 (5) Amount payable from the Breast Cancer
2 Control Account (Item 4260-111-
3 0009)..... -7,912,000
- 4 (6) Amount payable from the Childhood
5 Lead Poisoning Prevention Fund (Item
6 4260-111-0080)..... -22,000
- 7 (7) Amount payable from the Unallocated
8 Account, Cigarette and Tobacco Prod-
9 ucts Surtax Fund (Item 4260-111-
10 0236)..... -22,081,000
- 11 (8) Amount payable from the Federal
12 Trust Fund (Item 4260-111-0890)..... -231,395,000
- 13 Provisions:
- 14 1. Program 20.25-Children’s Medical Services: Counties
15 may retain 50 percent of total enrollment and assess-
16 ment fees that are collected by the counties for the
17 California Children’s Services Program. Fifty percent
18 of the enrollment and assessment fee for each county
19 shall be offset from the state’s match for that county.
- 20 2. Notwithstanding any other provision of law, the De-
21 partment of Finance may authorize transfer of expen-
22 diture authority between this item and Items 4260-101-
23 0001, 4260-102-0001, 4260-113-0001, and 4260-117-
24 0001 in order to effectively administer the programs
25 funded in these items. The Department of Finance
26 shall notify the Legislature within 10 days of authoriz-
27 ing such transfer unless prior notification of the
28 transfer has been included in the Medi-Cal estimates
29 submitted pursuant to Section 14100.5 of the Welfare
30 and Institutions Code. The 10-day notification to the
31 Legislature shall include the reasons for the transfer,
32 the fiscal assumptions used in calculating the transfer
33 amount, and any potential fiscal effects on the program
34 from which funds are being transferred or reduced.
- 35 3. The State Department of Health Care Services shall
36 convene a diverse workgroup, that, at a minimum,
37 represents families enrolled in the California Chil-
38 dren’s Services (CCS) Program, counties, specialty
39 care providers, children’s hospitals, and medical sup-
40 pliers to discuss the administrative structure of the

1 CCS Program, including eligibility determination
2 processes, the use and content of needs assessment
3 tools in case management, and the processes used for
4 treatment authorizations. The purpose of this work-
5 group will be to identify methods for streamlining,
6 identifying administrative cost efficiencies, and devel-
7 oping better utilization of both state and county staff,
8 as applicable, in meeting the needs of children and
9 families accessing the CCS Program. The department
10 may provide the appropriate policy and fiscal commit-
11 tees of the Legislature with periodic updates of out-
12 comes as appropriate.

13
14 *SEC. 7. Item 4260-401 of Section 2.00 of the Budget Act of*
15 *2012 is amended to read:*

16
17 4260-401—The balances of the appropriations provided for in
18 the following items shall be transferred to the Department
19 of Health Care Services, as of June 30, 2012, to carry out
20 the liquidation of these appropriations:

- 21 (1) Items 4440-101-0001, 4440-103-0001, 4440-105-0001,
22 4440-001-0890, 4440-101-0890, 4440-001-3085, and
23 4440-101-3085, Budget Act of 2010 (Ch. 712, Stats.
24 2010)
25 (2) Items 4440-101-0001, 4440-103-0001, 4440-105-3085,
26 4440-001-0890, 4440-101-0890, 4440-001-3085, and
27 4440-101-3085, Budget Act of 2011 (Ch. 33, Stats.
28 2011)

29
30 *SEC. 8. Item 4260-491 is added to Section 2.00 of the Budget*
31 *Act of 2012, to read:*

32
33 4260-491—*Reappropriation, Department of Health Care Ser-*
34 *vices. Notwithstanding any other provision of law, as of*
35 *July 1, 2012, the appropriation provided in the following*
36 *citation shall be transferred from the State Department of*
37 *Public Health to the State Department of Health Care*
38 *Services. The reappropriated amount is for the purposes*
39 *specified and shall be available for encumbrance or expen-*
40 *diture until June 30, 2014.*

0001—General Fund

(1) Item 4265-111-0001, Budget Act of 2010 (Ch. 712, Stats. 2010)

(1) Up to \$10,644,000 is available for reappropriation for local assistance costs for the Every Woman Counts Program.

SEC. 9. Item 4280-101-0001 of Section 2.00 of the Budget Act of 2012 is amended to read:

4280-101-0001—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program..... 159,603,000

Schedule:

(1) 20-Access for Infants and Mothers Program..... 71,883,000

(2) 40-Healthy Families Program..... ~~793,905,000~~
968,712,000

(3) Amount payable from the Federal Trust Fund (Item 4280-101-0890)..... -697,859,000

(4) Amount payable from the Children's Health and Human Services Special Fund (Item 4280-101-3156)..... ~~-8,326,000~~
-183,133,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4280-102-0001 in order to effectively administer the Healthy Families Program.
2. The Managed Risk Medical Insurance Board shall use all available, designated funds for the Healthy Families Program from the Children's Health and Human Services Special Fund before General Fund moneys are used.
3. The Department of Finance may authorize the transfer of expenditure authority from this item to Item 4260-101-0001 or 4260-113-0001, or both of those items, and position authority from the Managed Risk Medical Insurance Board to the State Department of Health Care Services, as it pertains to the transition of the

1 Healthy Families Program to the State Department of
 2 Health Care Services. Any transfer shall be consistent
 3 with the transition plan, or components of a transition
 4 plan, as provided to the Legislature as required in state
 5 statute regarding these program transfers.

6 The Director of Finance shall provide notification
 7 in writing to the Joint Legislative Budget Committee
 8 of any transfer of expenditure authority approved under
 9 this provision not less than 30 days prior to the effec-
 10 tive date of the approval. This notification shall include
 11 (a) a comprehensive description of the program trans-
 12 fer, including the number of children affected and
 13 plans affected, and (b) all assumptions used in calcu-
 14 lating the amount of expenditure and position authority
 15 transferred.

16
 17 *SEC. 10. Item 4280-101-3156 of Section 2.00 of the Budget*
 18 *Act of 2012 is amended to read:*

19
 20 4280-101-3156—For local assistance, Managed Risk Medical
 21 Insurance Board, for payment to Item 4280-101-0001,
 22 payable from the Children’s Health and Human Services
 23 Special Fund, for the Healthy Families Program..... 8,326,000
 24 183,133,000

25 Provisions:

- 26 1. Funds appropriated in this item are in lieu of the
 27 amounts that otherwise would have been appropriated
 28 for administration pursuant to Section 12201 of the
 29 Revenue and Taxation Code.
- 30 2. Upon order of the Department of Finance, the Con-
 31 troller shall transfer such funds as are necessary be-
 32 tween this item and Item 4280-102-3156 in order to
 33 effectively administer the Healthy Families Program.
- 34 3. Provision 2 of Item 4280-101-0001 also applies to this
 35 item.
- 36 4. The Department of Finance may authorize the transfer
 37 of expenditure authority from this item to Item 4260-
 38 101-0001, 4260-101-3156, or 4260-113-0001, or any
 39 combination of those items, and position authority
 40 from the Managed Risk Medical Insurance Board to

the State Department of Health Care Services, as it pertains to the transition of the Healthy Families Program to the State Department of Health Care Services. Any transfer shall be consistent with the transition plan, or components of a transition plan, as provided to the Legislature as required in state statute regarding these program transfers.

The Director of Finance shall provide notification in writing to the Joint Legislative Budget Committee of any transfer of expenditure authority approved under this provision not less than 30 days prior to the effective date of the approval. This notification shall include (a) a comprehensive description of the program transfer, including the number of children affected and plans affected, and (b) all assumptions used in calculating the amount of expenditure and position authority transferred.

SEC. 11. Item 4280-102-0001 of Section 2.00 of the Budget Act of 2012 is amended to read:

4280-102-0001—For local assistance, Managed Risk Medical Insurance Board, for Healthy Families Program administrative contracts.....			3,564,000
Schedule:			
(1) 40-Healthy Families Program.....	47,639,000		
	55,876,000		
(2) Reimbursements.....	–8,094,000		
(3) Amount payable from the Federal Trust Fund (Item 4280-102-0890).....	–35,585,000		
(4) Amount payable from the Children’s Health and Human Services Special Fund (Item 4280-102-3156).....	–396,000		
	–8,633,000		

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4280-101-0001 in order to effectively administer the Healthy Families Program.

2. Provision 2 of Item 4280-101-0001 also applies to this item.

3. The Department of Finance may authorize the transfer of expenditure authority from this item to Item 4260-101-0001 or 4260-113-0001, or both of those items, and position authority from the Managed Risk Medical Insurance Board to the State Department of Health Care Services, as it pertains to the transition of the Healthy Families Program to the State Department of Health Care Services. Any transfer shall be consistent with the transition plan, or components of a transition plan, as provided to the Legislature as required in state statute regarding these program transfers.

The Director of Finance shall provide notification in writing to the Joint Legislative Budget Committee of any transfer of expenditure authority approved under this provision not less than 30 days prior to the effective date of the approval. This notification shall include (a) a comprehensive description of the program transfer, including the number of children affected and plans affected, and (b) all assumptions used in calculating the amount of expenditure and position authority transferred.

SEC. 12. Item 4280-102-3156 of Section 2.00 of the Budget Act of 2012 is amended to read:

4280-102-3156—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-102-0001, payable from the Children’s Health and Human Services Special Fund, for Healthy Families Program administrative contracts.....	396,000
	8,633,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 12201 of the Revenue and Taxation Code.

2. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary be-

1 tent to which the rule, regulation, or all-county
2 letter constitutes a deviation from the premises
3 under which the expenditure limitations were
4 prepared, and any additional factors relating to
5 the fiscal integrity of the program or the state's
6 fiscal situation.

- 7 (b) Notwithstanding Sections 28.00 and 28.50, the
8 availability of funds contained in this item for
9 rules, regulations, or all-county letters that add to
10 program costs funded from the General Fund in
11 excess of \$500,000 on an annual basis, including
12 those that are the result of a federal regulation,
13 but excluding those that are (a) specifically re-
14 quired as a result of the enactment of a federal or
15 state law or (b) included in the appropriation made
16 by this act, shall not be approved by the Depart-
17 ment of Finance sooner than 30 days after notifi-
18 cation in writing to the chairpersons of the com-
19 mittees in each house of the Legislature that con-
20 sider appropriations and the Chairperson of the
21 Joint Legislative Budget Committee, or sooner
22 than such lesser time after notification as the
23 chairperson of the joint committee, or his or her
24 designee, may in each instance determine.

- 25 2. Notwithstanding Chapter 1 (commencing with Section
26 18000) of Part 6 of Division 9 of the Welfare and In-
27 stitutions Code, a loan not to exceed \$500,000,000
28 shall be made available from the General Fund, from
29 funds not otherwise appropriated, to cover the federal
30 share of costs of a program or programs when the
31 federal funds have not been received by this state prior
32 to the usual time for transmitting that federal share to
33 the counties of this state. This loan from the General
34 Fund shall be repaid when the federal share of costs
35 for the program or programs becomes available.

- 36 3. The Department of Finance may authorize the transfer
37 of amounts from this item to Item 5180-001-0001 in
38 order to fund the costs of the administrative hearing
39 process associated with the CalWORKs program.

- 1 4. (a) The Department of Finance is authorized to ap-
2 prove expenditures in those amounts made neces-
3 sary by changes in either caseload or payments,
4 including, but not limited to, the timing of federal
5 payments, or any rule or regulation adopted and
6 any all-county letter issued as a result of the enact-
7 ment of a federal or state law, the adoption of a
8 federal regulation, or a court action, during the
9 2012–13 fiscal year that are within or in excess
10 of amounts appropriated in this act for that year.
11 (b) If the Department of Finance determines that the
12 estimate of expenditures will exceed the expendi-
13 tures authorized for this item, the department shall
14 so report to the Legislature. At the time the report
15 is made, the amount of the appropriation made in
16 this item shall be increased by the amount of the
17 excess unless and until otherwise provided by
18 law.
- 19 5. Nonfederal funds appropriated in this item which have
20 been budgeted to meet the state’s Temporary Assis-
21 tance for Needy Families maintenance-of-effort require-
22 ment established pursuant to the federal Personal Re-
23 sponsibility and Work Opportunity Reconciliation Act
24 of 1996 (P.L. 104-193) may not be expended in any
25 way that would cause their disqualification as a feder-
26 ally allowable maintenance-of-effort expenditure.
- 27 6. In the event of declared disaster and upon county re-
28 quest, the State Department of Social Services may
29 act in the place of any county and assume direct respon-
30 sibility for the administration of eligibility and grant
31 determination. Upon recommendation of the Director
32 of Social Services, the Department of Finance may
33 authorize the transfer of funds from this item and Item
34 5180-101-0890, to Items 5180-001-0001 and 5180-
35 001-0890, for this purpose.
- 36 7. Pursuant to the Electronic Benefit Transfer (EBT) Act
37 (Chapter 3 (commencing with Section 10065) of Part
38 1 of Division 9 of the Welfare and Institutions Code)
39 and in accordance with the EBT System regulations
40 (Manual of Policies and Procedures Section 16-

401.15), in the event a county fails to reimburse the EBT contractor for settlement of EBT transactions made against the county's cash assistance programs, the state is required to pay the contractor. The State Department of Social Services may use funds from this item to reimburse the EBT contractor for settlement on behalf of the county. The county shall be required to reimburse the department for the county's settlement via direct payment or administrative offset.

8. The Department of Finance is authorized to approve expenditures for the California Food Assistance Program in those amounts made necessary by changes in the CalFresh Program Standard Utility Allowance, including those that result from midyear Standard Utility Allowance adjustments requested by the state. If the Department of Finance determines that the estimate of expenditures will exceed the expenditure authority of this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by the amount of the excess unless and until otherwise provided by law.

SEC. 14. Item 5180-101-0890 of Section 2.00 of the Budget Act of 2012 is amended to read:

5180-101-0890—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Federal Trust Fund.....	3,890,542,000
	3,970,542,000

Provisions:

1. Provisions 1, 4, 6, and 7 of Item 5180-101-0001 also apply to this item.
2. The Director of Finance may authorize the transfer of amounts from this item to Item 5180-001-0890 in order to fund the costs of the administrative hearing process associated with the CalWORKs program.
3. For the purpose of broadening access to federal Child and Adult Care Food Program benefits for low-income children in proprietary child care centers, the State

Department of Social Services may transfer up to \$10,000,000 of the funds appropriated in this item for Program 16.30—CalWORKs, from the Temporary Assistance for Needy Families (TANF) block grant to the Social Services Block Grant (Title XX) pursuant to authorization in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193). The Title XX funds shall be pooled with TANF funds appropriated in this item for CalWORKs Child Care. This transfer shall occur only if the Director of Finance approves the pooling of Title XX funds with Child Care and Development Fund or TANF funds, or both.

4. Upon request of the State Department of Social Services, the Director of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5180-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

5. Upon request of the Department of Finance, the Controller shall transfer funds between this item and Item 5180-153-0890 as needed to reflect the estimated expenditure amounts for each county that opts into the Title IV-E Child Welfare Waiver Demonstration Project pursuant to Section 18260 of the Welfare and Institutions Code. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.

SEC. 15. Item 5180-496 is added to Section 2.00 of the Budget Act of 2012, to read:

5180-496—Reversion, Department of Social Services. As of June 30, 2012, the balances specified below of the appropriations provided in the following citations shall revert to the balances in the funds from which the appropriations were made:

0890—Federal Trust Fund

(1) Item 5180-101-0890, Budget Act of 2011 (Ch. 33, Stats. 2011). An amount of \$80,000,000 appropriated for the CalWORKs program.

SEC. 16. Item 6110-295-0001 of Section 2.00 of the Budget Act of 2012 is amended to read:

6110-295-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the cost of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller.....

	36,000
	41,000

Schedule:

- | | |
|---|-------|
| (1) 98.01.003.677-Consolidation of Annual Parent Notification/Schoolsite Discipline Rules/Alternative Schools (Ch. 36, Stats. 1977, et al.) (CSM 4445, 4453, 4461, 4462, 4474, 4488, 97-TC-24, 99-TC-09, 00-TC-12)..... | 1,000 |
| (2) 98.01.009.894-Caregiver Affidavits (Ch. 98, Stats. 1994) (CSM 4497)..... | 1,000 |
| (3) 98.01.048.675-Mandate Reimbursement Process (Ch. 486, Stats. 1975) (CSM 4485)..... | 1,000 |
| (4) 98.01.049.802-Notification of Truancy (Ch. 498, Stats. 1983) (CSM 4133)..... | 1,000 |
| (5) 98.01.049.803-Pupil Suspensions, Expulsions, Expulsion Appeals (Ch. 498, Stats. 1983, et al.) (CSM 4455, 4456, and 4463)..... | 1,000 |

1	(6) 98.01.078.192-Charter Schools I, II, and	
2	III (Ch. 781, Stats. 1992) (CSM 4437 et	
3	al., 99-TC-03/99-TC-14).....	1,000
4	(7) 98.01.081.891-AIDS Instruction I and	
5	AIDS Prevention Instruction II (Ch. 818,	
6	Stats. 1991; Ch. 403, Stats. 1998) (CSM	
7	4422; 99-TC-07, 00-TC-01).....	1,000
8	(8) 98.01.096.175-Collective Bargaining	
9	(Ch. 961, Stats. 1975) (CSM 4425, 97-	
10	TC-08).....	1,000
11	(9) 98.01.096.577-Pupil Health Screenings	
12	(Ch. 1208, Stats. 1976) (CSM 4440)....	1,000
13	(10) 98.01.097.595-Physical Performance	
14	Tests (Ch. 975, Stats. 1995) (96-365-	
15	01).....	1,000
16	(11) 98.01.101.184-Juvenile Court Notices	
17	II (Ch. 1011, Stats. 1984; Ch. 1423,	
18	Stats. 1984) (CSM 4475).....	1,000
19	(12) 98.01.110.784-Removal of Chemicals	
20	(Ch. 1107, Stats. 1984) (CSM 4211,	
21	4298).....	0
22	(13) 98.01.111.789-Consolidation of Law	
23	Enforcement Agency Notifications	
24	(LEAN) and Missing Children Reports	
25	(MCR) (Ch. 1117, Stats. 1989) (CSM	
26	4505, 4505-2).....	1,000
27	(14) 98.01.117.677-Immunization Records	
28	(Ch. 1176, Stats. 1977) (SB 90-120)....	1,000
29	(15) 98.01.118.475-Habitual Truants (Ch.	
30	1184, Stats. 1975) (CSM 4487, 4487-	
31	A).....	1,000
32	(16) 98.01.130.689-Consolidation of Notifi-	
33	cation to Teachers: Pupils Subject to	
34	Suspension or Expulsion I and II, and	
35	Pupil Discipline Records (Ch. 1306,	
36	Stats. 1989) (CSM 4452).....	1,000
37	(17) 98.01.134.780-Scoliosis Screening (Ch.	
38	1347, Stats. 1980) (CSM 4195).....	0

1	(18) 98.01.030.995-Pupil Residency Verifi-	
2	cation and Appeals (Ch. 309, Stats.	
3	1995) (96-384-01).....	0
4	(19) 98.01.058.897-Criminal Background	
5	Checks I (Ch. 558, Stats. 1997) (97-TC-	
6	16)	1,000
7	(20) 98.01.083.194-School Bus Safety I and	
8	II (Ch. 624, Stats. 1992; Ch. 831, Stats.	
9	1994; Ch. 739, Stats. 1997) (97-TC-	
10	22).....	0
11	(21) 98.01.064.186-Open Meetings/Brown	
12	Act (Ch. 641, Stats. 1986) (CSM	
13	4257).....	1,000
14	(22) 98.01.361.977-Financial and Compli-	
15	ance Audits (Ch. 36, Stats. 1977) (CSM	
16	4498, 4498-A).....	1,000
17	(23) 98.01.064.097-Physical Education Re-	
18	ports (Ch. 640, Stats. 1997) (98-TC-	
19	08).....	0
20	(24) 98.01.112.096-Health Benefits for Sur-	
21	vivors of Peace Officers and Firefighters	
22	(Ch. 1120, Stats. 1996) (97-TC-25).....	0
23	(25) 98.01.091.787-County Office of Educa-	
24	tion Fiscal Accountability Reporting	
25	(Ch. 917, Stats. 1987, et al.) (97-TC-	
26	20).....	1,000
27	(26) 98.01.010.081-School District Fiscal	
28	Accountability Reporting (Ch. 100,	
29	Stats. 1981) (97-TC-19).....	1,000
30	(27) 98.01.012.693-Law Enforcement Sexual	
31	Harassment Training (Ch. 126, Stats.	
32	1993) (97-TC-07).....	0
33	(28) 98.01.078.495-County Treasury With-	
34	drawals (Ch. 784, Stats. 1995) (96-365-	
35	03).....	0
36	(29) 98.01.073.697-Comprehensive School	
37	Safety Plans (Ch. 736, Stats. 1997) (98-	
38	TC-01, 99-TC-10).....	1,000

1	(30) 98.01.032.578-Immunization Records—	
2	Hepatitis B (Ch. 325, Stats. 1978; Ch.	
3	435, Stats. 1979) (98-TC-05).....	1,000
4	(31) 98.01.119.280-School District Reorga-	
5	nization (Ch. 1192, Stats. 1980; Ch.	
6	1186, Stats. 1994) (98-TC-24).....	1,000
7	(32) 98.01.059.498-Criminal Background	
8	Checks II (Ch. 594, Stats. 1998, Ch.	
9	840, Stats. 1998, Ch. 78, Stats. 1999)	
10	(00-TC-05).....	1,000
11	(33) 98.01.117.096-Grand Jury Proceedings	
12	(Ch. 1170, Stats. 1996, et al.) (98-TC-	
13	27).....	0
14	(34) 98.01.074.398-Pupil Promotion and	
15	Retention (Ch. 100, Stats. 1981, et al.)	
16	(98-TC-19).....	1,000
17	(35) 98.01.030.098-Differential Pay and Re-	
18	employment (Ch. 30, Stats. 1998) (99-	
19	TC-02).....	1,000
20	(36) 98.01.007.778-Absentee Ballots (Ch.	
21	77, Stats. 1978; Ch. 1032, Stats. 2002)	
22	(02-PGA-02).....	1,000
23	(37) 98.01.089.300-Agency Fee Arrange-	
24	ments (Ch. 893, Stats. 2000; Ch. 805,	
25	Stats. 2001) (00-TC-17 and 01-TC-	
26	14).....	1,000
27	(38) 98.01.498.083-The Stull Act (Ch. 498,	
28	Stats. 1983; Ch. 4, Stats. 1999) (98-TC-	
29	25).....	1,000
30	(39) 98.01.124.992-Threats Against Peace	
31	Officers (Ch. 1249, Stats. 1992 et al.)....	1,000
32	(40) 98.01.060.394-CA State Teachers Re-	
33	irement System Services Credit (Ch.	
34	603, Stats. 1994 et al.) (02-TC-19).....	1,000
35	(41) 98.01.498.830-Pupil Safety Notices	
36	(Ch. 498, Stats. 1983 et al.) (02-TC-	
37	13).....	1,000

1	(42) 98.01.146.389-School Accountability	
2	Report Cards II & III (Ch. 912, Stats.	
3	1997 et al.) (00-TC-09/00-TC-13; 02-	
4	TC-32).....	1,000
5	(43) 98.01.124.978-Prevailing Wage (Ch.	
6	1249, Stats. 1978) (01-TC-28).....	1,000
7	(44) 98.01.016.193-Intradistrict Attendance	
8	(Ch. 161, Stats. 1993) (CSM 4454).....	1,000
9	(45) 98.01.013.599-California High School	
10	Exit Examination (Ch. 135, Stats. 1999)	
11	(00-TC-06).....	1,000
12	(46) 98.01.059.389-Student Records (Ch.	
13	593, Stats. 1989) (02-TC-34).....	1,000
14	(47) 98.01.003.999-Academic Performance	
15	Index (Ch. 3, 1999-2000 1st Ex. Sess.,	
16	et al.) (01-TC-22).....	1,000
17	(48) 98.01.064.087-Child Abuse and Neglect	
18	Reporting (Ch. 640, Stats. 1987, et al.)	
19	(01-TC-21).....	1,000
20	(49) 98.01.125.375-Expulsion of Pupil:	
21	Transcript Cost for Appeals (Ch. 1253,	
22	Stats. 1975).....	1,000
23	(50) 98.01.017.201-Interdistrict Attendance	
24	Permits (Ch. 172, Stats. 1986, et al.)	
25	(CSM-4442).....	1,000
26	Provisions:	
27	1. Pursuant to Section 17581.5 of the Government Code,	
28	mandates included in the language of this item are	
29	specifically identified by the Legislature for suspension	
30	during the 2012–13 fiscal year:	
31	(12) 98.01.110.784-Removal of Chemicals (Ch. 1107,	
32	Stats. 1984) (CSM 4211, 4298)	
33	(17) 98.01.134.780-Scoliosis Screening (Ch. 1347,	
34	Stats. 1980) (CSM 4195)	
35	(18) 98.01.030.995-Pupil Residency Verification and	
36	Appeals (Ch. 309, Stats. 1995) (96-384-01)	
37	(20) 98.01.083.194-School Bus Safety I and II (Ch.	
38	624, Stats. 1992; Ch. 831, Stats. 1994; Ch. 739,	
39	Stats. 1997) (97-TC-22)	

- (23) 98.01.064.097-Physical Education Reports (Ch. 640, Stats. 1997) (98-TC-08)
- (24) 98.01.112.096-Health Benefits for Survivors of Peace Officers and Firefighters (Ch. 1120, Stats. 1996) (97-TC-25)
- (27) 98.01.012.693-Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC-07)
- (28) 98.01.078.495-County Treasury Withdrawals (Ch. 784, Stats. 1985) (96-365-03)
- (33) 98.01.117.096-Grand Jury Proceedings (Ch. 1170, Stats. 1996) (98-TC-27)

2. If the amount appropriated in this item is less than the amount required to fund eligible claims contained in this item, the Controller shall prorate the payments accordingly.

SEC. 17. Item 6440-301-0658 of Section 2.00 of the Budget Act of 2012 is amended to read:

6440-301-0658—For capital outlay, University of California, payable from the 1996 Higher Education Capital Outlay Bond Fund 6,532,000

Schedule:

Santa Cruz Campus

(1) 99.07.185-Infrastructure Improvements, Phase 2—Construction..... 6,532,000

Provisions:

1. *Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that*

1 have been identified as potentially in need of seismic
 2 retrofitting, (d) to proceed with design and construc-
 3 tion of projects to meet requirements under the federal
 4 Americans with Disabilities Act of 1990 (42 U.S.C.
 5 Sec. 12101 et seq.), or (e) to fund minor capital outlay
 6 projects.

- 7 2. The funds provided in this item shall be available for
 8 expenditure only if the University of California re-
 9 quires the payment of prevailing wage rates by the
 10 contractors and subcontractors on all projects in this
 11 item and on all other capital outlay projects undertak-
 12 en by the University of California that are funded using
 13 nonstate funds or are otherwise not financed with the
 14 funds appropriated in this item. This requirement shall
 15 represent a moratorium on granting further exceptions
 16 to paying prevailing wage rates until June 30, 2013.

17
 18 SEC. 18. Item 6440-301-0705 of Section 2.00 of the Budget
 19 Act of 2012 is amended to read:

20
 21 6440-301-0705—For capital outlay, University of California,
 22 payable from the 1992 Higher Education Capital Outlay
 23 Bond Fund..... 1,200,000
 24 Schedule:
 25 Santa Cruz Campus
 26 (1) 99.07.185-Infrastructure Improvements,
 27 Phase 2—Construction..... 1,200,000

28 Provisions:

- 29 1. Identified savings in funds encumbered from this gen-
 30 eral obligation bond fund for construction contracts
 31 for capital outlay projects, remaining after completion
 32 of a capital outlay project and upon resolution of all
 33 change orders and claims, may be used prior to the
 34 appropriation reversion date: (a) to begin working
 35 drawings for a project for which preliminary plan
 36 funds have been appropriated and the plans have been
 37 approved by the State Public Works Board consistent
 38 with the scope and cost approved by the Legislature
 39 as adjusted for inflation only, (b) to proceed further
 40 with the underground tank corrections program, (c)

to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), or (e) to fund minor capital outlay projects.

2. The funds provided in this item shall be available for expenditure only if the University of California requires the payment of prevailing wage rates by the contractors and subcontractors on all projects in this item and on all other capital outlay projects undertaken by the University of California that are funded using nonstate funds or are otherwise not financed with the funds appropriated in this item. This requirement shall represent a moratorium on granting further exceptions to paying prevailing wage rates until June 30, 2013.

SEC. 19. Item 6610-001-0001 of Section 2.00 of the Budget Act of 2012 is amended to read:

6610-001-0001—For support of California State University.... 1,936,597,000

Schedule:

(1) Support..... 1,936,597,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00, except as otherwise provided by the applicable sections of the Government Code referred to in Section 31.00.
2. Of the amount appropriated in this item, \$350,000 is for transfer to the Affordable Student Housing Revolving Fund for the purpose of subsidizing interest costs in connection with bond financing for construction of affordable student housing at the Fullerton and East Bay campuses in accordance with Article 3 (commencing with Section 90085) of Chapter 8 of Part 55 of Division 8 of Title 3 of the Education Code.
7. Of the funds appropriated in this item, \$33,785,000 is provided for student financial aid grants. These financial aid funds shall be provided to needy students ac-

1 cording to the nationally accepted needs analysis
2 methodology.

- 3 8. If the Director of Finance reduces appropriations pur-
4 suant to subdivision (a) of Section 3.62, the California
5 State University (CSU) shall not make budget reduc-
6 tions to any individual student academic preparation
7 and outreach program that is greater, proportionally,
8 than the reduction in overall General Fund support for
9 the university. The university shall submit a report on
10 the reduction made to these programs to the fiscal
11 committees of each house of the Legislature no later
12 than April 1, 2013.

- 13 11. Notwithstanding Section 89704 of the Education Code
14 or any other provision of law, the Chancellor of the
15 California State University may transfer such balances
16 he or she deems necessary from the State University
17 Continuing Education Revenue Fund or any other
18 revenues received from extension programs and other
19 self-supporting instructional programs to the California
20 State University Trust Fund, or to trust accounts pur-
21 suant to Section 89721 of the Education Code, for
22 expenditure in order to mitigate impacts to state-sup-
23 ported instructional programs that would result from
24 reductions in state General Fund appropriations *or*
25 *reductions in tuition fee revenues* for support of the
26 university. The Chancellor shall report within 10 days
27 to the Director of Finance and to the Chairperson of
28 the Joint Legislative Budget Committee on any
29 amounts transferred pursuant to this provision. *The*
30 *Legislature expects the California State University to*
31 *enroll a total of 331,716 state-supported full-time*
32 *equivalent students during the 2012–13 academic year.*
33 *This enrollment target does not include nonresident*
34 *students and students enrolled in nonstate supported*
35 *summer programs.* The Chancellor shall report to the
36 Director of Finance and to the Chairperson of the Joint
37 Legislative Budget Committee (a) by May 1, 2013, on
38 whether the California State University has met the
39 2012–13 academic year enrollment goal, and (b) by
40 June 30, 2013, on the impact of any transfer on self-

supporting instructional programs and related fees *and the use of any transferred funds.* ~~This provision shall only become operative if the Director of Finance reduces appropriations pursuant to subdivision (a) of Section 3.62. If this provision is operative on December 15, 2012, it~~ *It is the intent of the Legislature that the transfer authority is one-time in nature and effective only for the 2012–13 fiscal year.*

SEC. 20. Item 6870-296-0001 of Section 2.00 of the Budget Act of 2012 is amended to read:

6870-296-0001—For local assistance, ~~Department of Education~~ *(Proposition 98) Board of Governors of the California Community Colleges*, for transfer to Section B of the State School Fund, Program 98-Community College Mandated Programs Block Grant..... 33,338,000

Provisions:

1. Pursuant to Section 17581.7 of the Government Code, the funds appropriated in this item shall be distributed to community college districts that elect to participate in the block grant on the basis of funded full-time equivalent students (FTES) calculated as of the second principal apportionment for the previous fiscal year. For the 2012–13 fiscal year, the Chancellor of the California Community Colleges shall apportion block grant funding in the amount of \$28 per FTES.
2. If total funding provided in this item is insufficient to fully fund the rate specified in Provision 1, the Chancellor of the California Community Colleges shall proportionately reduce the rate to conform to available funding.

SEC. 21. Item 8660-001-0462 of Section 2.00 of the Budget Act of 2012 is amended to read:

8660-001-0462—For support of Public Utilities Commission, payable from the Public Utilities Commission Utilities Reimbursement Account..... 84,697,788

1	Schedule:	
2	(1) 10-Regulation of Utilities.....	178,085,683
3		<i>176,469,788</i>
4	(2) 15-Universal Service Telephone Pro-	
5	grams.....	649,409,000
6		<i>537,412,000</i>
7	(3) 20-Regulation of Transportation.....	21,161,317
8		<i>22,777,212</i>
9	(4) 30.01-Administration.....	30,518,095
10	(5) 30.02-Distributed Administration.....	-30,518,095
11	(6) Reimbursements.....	-59,044,000
12	(6.5) Reimbursement to the Division of	
13	Ratepayer Advocates.....	-4,035,000
14	(7) Amount payable from the State High-	
15	way Account, State Transportation Fund	
16	(Item 8660-001-0042).....	-3,775,000
17	(8) Amount payable from the Public Trans-	
18	portation Account, State Transportation	
19	Fund (Item 8660-001-0046).....	-5,006,000
20	(9) Amount payable from the Transporta-	
21	tion Rate Fund (Item 8660-001-0412)....	-2,703,000
22	(10) Amount payable from the Public Util-	
23	ities Commission Transportation Re-	
24	imbursement Account (Item 8660-001-	
25	0461).....	-11,293,212
26	(11) Amount payable from the California	
27	High-Cost Fund-A Administrative	
28	Committee Fund (Item 8660-001-	
29	0464).....	-49,773,000
30	(12) Amount payable from the California	
31	High-Cost Fund-B Administrative	
32	Committee Fund (Item 8660-001-	
33	0470).....	-36,333,000
34	(13) Amount payable from the Universal	
35	Lifeline Telephone Service Trust	
36	Administrative Committee Fund	
37	(Item 8660-001-0471).....	-354,985,000
38		<i>-280,000,000</i>

(14) Amount payable from the Deaf and	
Disabled Telecommunications Pro-	
gram Administrative Committee Fund	
(Item 8660-001-0483).....	-76,012,000
	-54,000,000
(15) Amount payable from the Payphone	
Service Providers Committee Fund	
(Item 8660-001-0491).....	-72,000
(16) Amount payable from the California	
Teleconnect Fund Administrative	
Committee Fund (Item 8660-001-	
0493).....	-92,234,000
	-77,234,000
(17) Amount payable from the Federal Trust	
Fund (Item 8660-001-0890).....	-5,193,000
(18) Amount payable from the Public Util-	
ities Commission Ratepayer Advocate	
Account (Item 8660-001-3089).....	-23,500,000
(19) Amount payable from the California	
Advanced Services Fund (Item 8660-	
001-3141).....	-40,000,000

Provisions:

1. The Public Utilities Commission shall require any public utility requesting a merger to reimburse the commission for those necessary expenses that the commission incurs in its consideration of the proposed merger.

SEC. 22. Item 8660-001-0471 of Section 2.00 of the Budget Act of 2012 is amended to read:

8660-001-0471—For support of Public Utilities Commission,	
for payment to Item 8660-001-0462, payable from the	
Universal Lifeline Telephone Service Trust Administrative	
Committee Fund.....	354,985,000
	280,000,000

Provisions:

1. Of the amount appropriated in this item, up to \$1,906,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for

the Universal Lifeline Telephone Service Trust Administrative Committee Program.

SEC. 23. Item 8660-001-0483 of Section 2.00 of the Budget Act of 2012 is amended to read:

8660-001-0483—For support of Public Utilities Commission,	
for payment to Item 8660-001-0462, payable from the	
Deaf and Disabled Telecommunications Program Administrative Committee Fund.....	76,012,000
	54,000,000

Provisions:

1. Of the amount appropriated in this item, up to \$444,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the Deaf and Disabled Telecommunications Administrative Committee Program.

SEC. 24. Item 8660-001-0493 of Section 2.00 of the Budget Act of 2012 is amended to read:

8660-001-0493—For support of Public Utilities Commission,	
for payment to Item 8660-001-0462, payable from the	
California Teleconnect Fund Administrative Committee Fund.....	92,234,000
	77,234,000

Provisions:

1. Of the amount appropriated in this item, up to \$52,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the California Teleconnect Fund Administrative Committee Program.
2. Notwithstanding any other provision of law, upon request of the Public Utilities Commission, the Department of Finance may augment the amount available for expenditure in this item to pay claims made to the California Teleconnect Fund Administrative Committee Fund Program. The augmentation may be made no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the

Chairperson of the Joint Legislative Budget Committee. The amount of funds augmented pursuant to the authority of this provision shall be consistent with the amount approved by the Department of Finance based on its review of the amount of claims received by the Public Utilities Commission from telecommunications carriers.

SEC. 25. Item 8860-119-0001 is added to Section 2.00 of the Budget Act of 2012, to read:

8860-119-0001—For local assistance, Department of Finance,
funding to counties 5,000,000
Provisions:
1. Upon approval by the Director of Finance, the funds appropriated in this item may be apportioned to the counties by the Controller, consistent with the requirements of Provision 2, in an aggregate amount not to exceed \$5,000,000 for the allowable reimbursable costs associated with the November 6, 2012, statewide general election.
2. Each request for reimbursement pursuant to this item shall be made to the Director of Finance and shall include a report, signed and certified as true and accurate by the county clerk or county registrar of voters, that identifies the county's total costs for printing revised election materials, after its current supply runs out, pursuant to Assembly Bill 1466 or Senate Bill 1017 of the 2011–12 Regular Session. Payments made to counties pursuant to this item shall be made by the Controller upon approval by the Director of Finance.

SEC. 26. Item 9350-101-8066 is added to Section 2.00 of the Budget Act of 2012, to read:

9350-101-8066—For allocation by the Controller from the California Police Activities League (CALPAL) Fund 123,000
Provisions:
1. The funds appropriated in this item are to be allocated as follows:

1 (a) *To the California Police Activities League to fund*
2 *programs and services as authorized in connec-*
3 *tion with duties under Article 14.5 (commencing*
4 *with Section 18856) of Chapter 3 of Part 10.2 of*
5 *Division 2 of the Revenue and Taxation Code.*
6

7 SEC. 27. *Section 3.90 of the Budget Act of 2012 is amended*
8 *to read:*

9 SEC. 3.90. (a) Notwithstanding any other provision of law,
10 each item of appropriation, with the exception of those items for
11 the California State University, the University of California,
12 Hastings College of the Law, the Legislature, the Legislative
13 Counsel Bureau, the Bureau of State Audits, and the Judicial
14 Branch, shall be reduced, as appropriate, to reflect reductions in
15 employee compensation in the total amounts of \$401,716,000 from
16 General Fund items and \$437,413,000 from items relating to other
17 funds. These reductions shall be achieved through any combination
18 of the following: (1) memoranda of understanding reached pursuant
19 to Section 3517.5 of the Government Code, (2) furloughs, and (3)
20 other reductions for nonrepresented employees achieved with
21 existing administration and statutory authority.

22 The Director of Finance shall allocate the necessary reductions
23 to each item of appropriation (Budget Act and non-Budget Act)
24 to accomplish the employee compensation reductions required by
25 this section.

26 (b) Notwithstanding any other provision of law, by inclusion
27 of this section the Legislature hereby ratifies the addenda reached
28 between June 7, 2012, and June 25 30, 2012, for the following
29 state bargaining units: State Bargaining Units 1, 2, 3, 4, 5, 6, 7, 8,
30 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, and 21.

31 These addenda reflect negotiated changes to existing provisions
32 of their current memoranda of understanding or extend the current
33 memoranda of understanding with these state bargaining units, or
34 both. The estimated savings associated with these addenda are
35 included in this section.

36 ~~(c) Any other addenda with a state bargaining unit agreed to by~~
37 ~~July 1, 2012, and submitted to the Joint Legislative Budget~~
38 ~~Committee and ratified by August 31, 2012, shall also be deemed~~
39 ~~effective July 1, 2012, for purposes of this section.~~

40 (d)

1 (c) Employees represented by bargaining units with ratified
2 addenda pursuant to subdivision (b) ~~or (e)~~ shall not be subject to
3 furloughs pursuant to subdivision (a) of this section or subdivision
4 (b) of Section 19849 of the Government Code.

5 *SEC. 28. Sections 9 to 12, inclusive, of this act shall become*
6 *operative only if revenues, net of refunds, derived from an*
7 *imposition of a tax that is effective on and after July 1, 2012, and*
8 *before July 1, 2013, on Medi-Cal managed care plans are*
9 *deposited into the Children's Health and Human Services Special*
10 *Fund.*

11 *SEC. 29. This act is a Budget Bill within the meaning of*
12 *subdivision (e) of Section 12 of Article IV of the California*
13 *Constitution and shall take effect immediately.*

14 ~~SECTION 1. Section 12975.9 of the Insurance Code is~~
15 ~~amended to read:~~

16 ~~12975.9. (a) The Seismic Safety Account is hereby created as~~
17 ~~a special account within the Insurance Fund. Money in the account~~
18 ~~may be appropriated by the Legislature for the purposes of this~~
19 ~~section to fund the department and the Seismic Safety Commission.~~
20 ~~The department shall calculate an annual assessment to be charged~~
21 ~~to each commercial and residential property exposure. The~~
22 ~~assessment shall be set annually based on the number of property~~
23 ~~exposures from both commercial and residential insurance policies;~~
24 ~~the amount required for the support of the Seismic Safety~~
25 ~~Commission, the actual collection and administrative costs of the~~
26 ~~department, and for the maintenance of an adequate reserve. The~~
27 ~~annual assessment shall not exceed fifteen cents (\$0.15) per~~
28 ~~property exposure.~~

29 ~~(b) An insurer shall recover this assessment from the insured~~
30 ~~unless the insurer elects to pay the assessment on the insured's~~
31 ~~behalf. The insurer shall transmit payment to the department for~~
32 ~~deposit in the Seismic Safety Account. Any deficiency or excess~~
33 ~~in the amount collected in relation to the appropriation authority~~
34 ~~for the commission and the department shall be accounted for in~~
35 ~~the subsequent annual fee calculation. Any balance remaining in~~
36 ~~the Seismic Safety Account at the end of the fiscal year shall be~~
37 ~~retained in the account and carried forward to the next fiscal year.~~

38 ~~(c) Funds in the Seismic Safety Account shall be distributed;~~
39 ~~upon appropriation, to the Seismic Safety Commission for the~~

1 support of the commission and to the department for the actual
2 administrative costs incurred in collecting the assessments.

3 (d) The department shall report annually to the Legislature, the
4 Seismic Safety Commission, and the Department of Finance on
5 the assessment calculation methodology employed.

6 SEC. 2. This act is an urgency statute necessary for the
7 immediate preservation of the public peace, health, or safety within
8 the meaning of Article IV of the Constitution and shall go into
9 immediate effect. The facts constituting the necessity are:

10 In order to continue to provide programs for seismic safety and
11 to provide guidance for earthquake preparedness at the earliest
12 possible time, it is necessary that this bill take effect immediately.